

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 19-cr-184 (ECT/DTS)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	ORDER OF DETENTION
	)	
RYAN THOMAS FEINE,	)	
	)	
Defendant.	)	

This matter came before the Court on July 25, 2019, for an initial appearance. The defendant appeared in custody and was represented by Doug Olson of the Office of the Federal Defender. The United States of America was represented by Assistant United States Attorneys David Steinkamp. The Court advised the defendant of his constitutional rights, including the right to consult with his appointed counsel. *See* Fed. R. Crim. P. 5(d). The United States moved for detention, and the defendant waived his right to contest detention or to have a detention hearing.

**FINDINGS OF FACT**

1. The defendant is charged by indictment with two counts of production and attempted production of child pornography, in violation of Title 18, United States Code, Sections 2251(a) and 2251(e), and one count of possession of child pornography, in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2252(b)(2). (Dkt. 1.) The production counts carry a mandatory-minimum sentence of 15-years' imprisonment with a 30-year maximum statutory term of imprisonment. The possession count carries a 20-year maximum statutory term of imprisonment.

2. The nature and circumstances of the charges are violent and serious. The Indictment alleges that between February 10, 2013, and September 10, 2013, the defendant used or attempted to use two prepubescent minor children to produce visual depictions of sexually explicit conduct. The Indictment also alleges that the defendant knowingly possessed other pornography depicting minors who had not yet attained twelve years of age engaging in sexually explicit conduct.

3. The defendant also currently faces charges in Winona County, Minnesota, on allegations involving criminal sexual contact with minor children.

4. Although the defendant is a resident of Minnesota, it appears that the defendant currently is homeless and unemployed.

### **CONCLUSIONS OF LAW**

1. The production charges against the defendant create a rebuttal presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required or the safety of the community. 18 U.S.C. § 3142(e)(3)(E). Moreover, each offense alleged against the defendant in the Indictment constitutes a crime of violence. *See* 18 U.S.C. § 3156(a)(4)(C).

2. Based on the defendant's waiver of detention, the serious nature of the charged offenses, and the foregoing findings, the Court concludes by a preponderance of the evidence that no condition or combination of conditions of release will reasonable assure the defendant's appearance as required at future court proceedings. Moreover, the Court finds by clear and convincing evidence that no condition or combination of conditions of release will reasonable assure the safety of the community. For these reasons, the Court grants the government's motion

for detention. *See* 18 U.S.C. § 3142(e)(1); *United States v. Abad*, 350 F.3d 793, 797 (8th Cir. 2003).

Accordingly, based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The motion of the United States for detention of the defendant without bond is **GRANTED;**

2. The defendant is committed to the custody of the United States Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

3. The defendant shall be afforded reasonable opportunity to consult privately with his lawyer; and

4. Upon order of the Court or on request of an attorney for the government, the person in charge of the correctional facility in which the defendant is confined shall deliver him to a United States marshal for the purpose of appearance in connection with a court proceeding.

Dated: July 31, 2019

s/Steven E. Rau  
STEVEN E. RAU  
United States Magistrate Judge